THE ASSOCIATED PRESS.

The Agent Before the Senate Railroad Committee.

ORIGIN, LABORS AND PURPOSES.

Charge of Monopolizing News Disposed Of.

RELATIONS TO THE TELEGRAPH COMPANY.

Effect of the Proposed Legislation on the Organization.

The following statement was presented by Mr. J. W. Simonton with regard to the relationship of the estern Union Telegraph Company to the New York ciated Press to the Senate Committee on Rail-

We storn Union Telegraph Company to the New York
Associated Press to the Senate Committee on Railroads this afternoon:—

I am invited to state the relations between the Western Union Telegraph Company and the institution
which has been designated "as that great menopoly,
the Associated Press." The form of inquiry assumed that the Associated Press is a great monopoly;
that it lives and thrives by favor or comivance of
the Western Union Telegraph Company, and that its
power may and ought to be broken by hostile legislation against said company. I propose to satisfy
you, if I can, that the Associated Press is not a
monopoly, in any true sense, and that there is nothing about it which an intelligent legislator who understands the subject would desire to interfere with,
even if he had rightful power to do so. Should you
fail to be satisfied of this my aim will be to show
still that any effort to destroy the Associated Press by assault upon the telegraph company,
must be abortive, and will be as illogical and unjust
as the blind vengeance of the savage who companyes
the murder of an inoifensive company of whites today because yesterday he was wronged by some lawless white ruffian who crossed his bath.

Time forbids a sistement in detail of the plan and
methods of the Associated Press. Stated in the concrost, the organization is a combination of journalists all over the country to collect by their own
agents and to exchange with each other the current
news of the day. It is not a corporation. It derives
no element of success from special legislation, state
or national. Its every source of power and strength
is the direct creation of its owners and controllers
and their association of its owners and controllers
and their association of its owners and controllers
and their association of the convers any such aums
of mony as may be mutually agreed upon to the
combined capital, experience and skill. The Associated Press is not even a mercantile trader in news,
in the sense that the house of steamy gi

THE EXPENSES.

The Associated Press has no capital stock and makes agne but the just dividends of weekly assessments. Its working capital is the capital of the syon New York city papers, whose publishers of necessity assume the chief organizing management

It will be seen from what I have already said that the work of the Associated Press is a private business, carried on under the same moral, legal and constitutional rights which permit any one paper in the motropolis or in a country village to collect and publish its local news. It is, in short, a co-operating association of newspapera, akin in principle to that controlling a co-operative store for the economical purchase and exchange of dry goods, groceries or tarm produce.

association of nowspapers, akin in principle to that controlling a co-operative store for the economical purchase and exchange of dry goods, groceries or narm produce.

It will therefore be noted that what the Associated Press controls is simply its organized system and machinery for collecting and exchanging news. Those are its own by right of invention and creation, though it asks no patent for protection against others who may choose to invent, create or organize similar combinations for exchanging news.

Those who denounce it as a monopoly do so from a misapprehension of fact, assuming that angilling they cannot got a share in on their own terms must be a monopoly. Their rossoning is that of the radical communities to agrarian, whose theory is that a man should reap where he has not sown, and that fortunes already accumulated by skilful thrift shall be forcibly divided among those who have not assisted in their accumulation. The charge of monopoly rests upon the single fact that, here and there, some newspaper which did not share in the labor or risk of establishing the Associated Press is now that the day of experiment and risk has passed. As well might they demand to force their way into a share of the already created business of any bank or dry goods house, or other mercantile establishment, which we deal from the profits of the absociated Press is not permitted to come in and share in the fact ming its opportunities for doing business with profit. The profit of the bank or mercantile business with profit. The profit of the bank or mercantile business with profit. The profit of the bank or mercantile business with profit. The profits of the facture which it collects, as the profits of the facture which it collects, as the profits of the facture which it collects, as the profits of the facture which it collects, as the profit of the bank or mercantile business of intelligence has not been depicted by a single drop. We report this meeting here to-day for our own use, the sac of intelligence has not been de

more as it was before a single pen had recorded a single word of it.

THE CHOICE OF PARTNERS.

In deciding for curselves who shall and who shall not be our partners and associates in our business, what do we more than is done by every private business company in the land, by every man or woman who asserts the indefessible right to choose his or her companions, by every church, by every pointical or social club, by boards of trade, by stock and mercantile exchanges. Masonic and other accidence—ay, by woman and men respectively, in their choice of husbands and wives? If Congress can directly forbid all these, then and then only can it rightfully intervene to break the so-called monopoly of the Associated Press.

Wi at is it that we monopolize? Nothing, I repeat, except our own machinery—our own tools of trade—the product of our own brains, which no power on cartic can take from us directly, and which no legislitive body, when accurately intormed, will seek to take from us by tormous and questionable indirection.

take from us by tortuous and questionable indirection.

THE WESTERN UNION.

Now, as to the Western Union Telegraph Company. Our relations with it are simply those of carrier and customer. Please understand that there is no mental reservation back of this etatement, or of those which are to follow. They are intended to cover the broadest latitude of all that my language can express or imply. And just here let me interject a response to one of the statements made here to the effort that the Associated Press is under pledge not to oppose Western Union interests in any form. The gentleman (Gardner G. Hubberd) is utterly mistaken. The Associated Press is not—and certainly has not been during the more than eleven years of my connection with it—inder the least shadow of obligation, expressed or implied, to defond the Western Union Telegraph Company or to stand by its interests in any other than the proper

manner, which I shall state hereafter in the course of my remarks. It is not pledged, as he assumes, to antagonize amy scheme in hostillity to that company. As proof of this it is only necessary to recall to your minds the notorious fact that the Chicago Tribuse, one of the strongest among our connections in the West, the New Yonk Himanh, one of the strongest in the East, and other journals connected with us all over the land, did favor and support the Postal Telegraph bill against the arguments of Mr. Orion and directly against what the Western Union Telegraph Company considered to be its interests. There are no contracts or arrangements between the telegraph company and the Associated Fress which we do not understand to be open to any and all other parties who do or desire to do a similar class of business and upon the same terms. We receive some concessions in rates in return for conditions agreed upon—such as the agreement to do a large business instead of a petty one, and to do it all over Vestern Union wires, and to accept a certain proportion of it to be readered during those hours when the better paying commercial business does not crowd. But there are no discriminations whatever in our favor—on the contrary, one point of frequent difference between the two organizations is the fact that, according to our view, the only discriminations are against the Associated Press and in favor of its poorer and weaker compositors. We neither ask nor desire discrimination in our behalt—first, because we do not think it would be fair, even if legal, and, second, because, being strong in our own organization and our own facilities, we cannot afford to accept a dangerous precedent which there would be constant temptation on the part of the elegraph company to follow for gain, and the tendency of which would be toward the use of the power of that great company in the discrimination of increases and overty of facilities with our strength rid weath in the same element of success. We hold that they can have no just right to

ask equality before the law of telegraphic rates and privileges; and I repeat that if that law ever fails to be observed it fails against us and never in our favor.

And now we come to the practical question, Will the proposed legislation, whether right or wrong, impair the power of the Associated Press? General Butior, by his argument here, seemed to hold that it with. Let us see. The most radical of the plans proposed by him, in the pest or present, was the postal telegraph believe of former years, and the plan which he culogized on Saturday last as the panasea for public relief from Associated Press ills and woes—to wit, the placing in the hands of the Postmaster General the bower to fix telegraphic rates. Woll, the Associated Press has nething its fear from either of these propositions. Its members are divided in opinion as to the political propriety and policy of such measures. But, gentlemen, there is no difference among them as to the conviction that nothing else could make the power of the Associated Press so invincible and secure as would the encoiment of either. The only competition we have to meat to-day lives by and because of discriminating telegraphic rates in its favor. We do not desire its death, and if we can only be assured that no one else can get telegraphic service on better terms than are allowed to the Associated Press, our organization, our experience and our established connections give us a vaniage ground which can never be shaken if our business is managed with ordinary discretion and skill. This, assurance of exact and equal rates for all press matter, to all newspapers or news associations, we should have under government countrel of the telegraph, because the rates would of necessity be uniform to all patrons, just as they are in the case of the mails. That fixed, be the rates high or the they low we would care not, for we ask only a free field. But our competitors who live by favor to-day would, under the system proposed, certainty perish. If you reduce the rates would not a const

mutual consent of all the parties to the arrangement, to give lower rates to the poor and recomp by higher compensation from the well-to-do.

But the government cannot carry out any such flexible system. Ours is a government of law. Law is rigid. Its terms must be the same for the poor as for the yiels; and I undertake to asy that, as it would be ruinous to any telegraph business, public or private, to make these very low rates to all classes of its customers alke, the effect of legislative intervention would be to greatly enhance the cost of telegraph reports to the whole body of the weaker press, while cheapening it to the wealthy and strong. This would work no hardship to the prosperous journais of the great cities. These would still combine to divide the common expenses, protected then by law from efficient competition. Their proprietors, viewing the matter from the selfash standpoint alone, would glidly concentrate the business in their own hands. It would inevitably crush out the telegraph column in all the country press, give sidnost the entire field to the city press, and your legislation would be found to have simply inscribed upon the statutes of the country the declaration that, "to him that hath shall be given, and from him that hath not shall be taken even that which he hath."

In closing, permit me to remind you, gentlemen, that I am not here as attorney for the Western Union Telegraph Company, but in the interest of simple truth alone. The legislation proposed can affect the Associated Press only favorably, and so far as it is designed to help those newspapers which are not in the Associated Press only favorably, and so far as it is designed to help those newspapers which are not in the Associated Press only favorably, and so far as it is designed to help those newspapers which are not in the Associated Press only favorably, and so far as it is designed to help those newspapers which are not in the Associated Press only favorably, and so far as it is designed to hap the grounds, but we may ay, as

or what is proposed to you that you shall do, but if after due consideration you think it just and wise and sound, we beg of you not to delay it for a day on our account."

In reply to specific inquiry by Senator Mitchell, Mr. Simonton said that in the city of New York a single member of the association had the power by his one objection to deny admission of any new paper to its facilities. In the country at large the rule on this point is various, and is determined, with few exceptions, by local press associations, who cooperate with the parent institution. These local associations make their own laws, and each determines for itself whether it will accept new partners, and if so, upon what terms.

Mr. Hubbard—Can you give a single instance in any section of the country where the Associated Press does not exercise its power to exclude some newspaper from participation in its news?

Mr. Simonton—Certainly I can. If I mistake not, there are only three points south of Washington where any local association or authority has the right to piace any restriction on service of reports to its competitors.

In reply to other queries he stated that there was no general Press association in the South covering that entire section, but there is a local association at New Orleans which controls the news in that city. In California there are two Press associations which buy the news East, one of which adds to it abundantly from other than Associated Press sources, and each of which controls its use by its own rules and regulations. In all Southern cities, other than New Orleans, papers can get the Associated Press reports either with or without bonus. In the cases where a bonus is charged it is for the benefit of papers already served which had carned this pretection by shouldering the burdens which defaulting to pay much more than they felt able to pay, unless they could, by means of the bonus provision, secure protection sgainst mushroom competition, here or the reports in Massachaetts and other New England Press Association;

TILDEN AND FLORIDA

Coyle Makes Further Revelations to the Potter Committee.

MONEY WITHOUT STINT.

Even Drew Expenses for Mr. Marble,

MR. COOPER'S CIPHER.

morning at half-past eleven, and the Chairman laid before them the affidavits of Judge H. C. Ripley and H. M. McIntosh, which had been forwarded by Judge at the office of the Attorney General in the State House. He met the Attorney General, quite agitated. He stated to deponent that he had twice been to the office of the Secretary of State and found the door locked on both occasions. While standing in front of the Secretary's office they saw time deponent wondered that the Governor and a citizen of a distant State should be closeted with the secretary of State at the time appointed for the meet ing of the Returning Board.

Mr. McIntosh deposes that he was the Taltshassee correspondent of the Savannah News, and during the canvass of the returns of the last Presidential elecnembers of the Returning Board, pacing the floor in front of the Secretary of State's office in a nervous fronzy. In reply to deponent's question he said:—
"These infornal scoundrels, McLin and Cowgill"
(the two other members of the Board) "have got me nediately afterward saw Governor Stearns, of Flortary's room together. The affidavits were ordered to be placed on the record of the committee.

Mr. John F. Coyle was then called to the witness stand, but Mr. Hiscock observed that he would have to ask for a secret session during the day, and per-haps it would be better to have it before proceeding to hear testimony. The suggestion met with no op-

At half-past twelve o'clock the committee assem oled and the examination of Mr. Coyle was proceeded

went to Florida during the election of 1876 upon a request made to him by Colonel Pelton; he met Colonel Pelton at the Ebbitt House, and was taken

Colonel Pelton at the Ebbitt House, and was taken into a room where he saw Mr. Bdw rd Cooper and Mr. Whitney: "Mr. Cooper gave me my instructions and also gave me a cipher key;" witness was to send his desystehes to Henry Havemoyer.

Mr. Reed—State what your instructions were.

Witness—They were very general and very brief; I was to go to Florida and aid the dem crats there in obtaining all the evidence that was requisite to secure a truthful count; to defray any expenses that were requisite for that purpose, and to aid them in any way I could; I was authorized to employ money, limited in amount by my own judgment and discretion.

art. Cooper; art. Cooper are into mas pocket the cipher, which I then asw for the first time; it was in horizontal lines, but the Evibuse has them the other way; there were a few substitution words, out not many; the list was amended after I left; I do not think the entire table on page 7 of the pamphlet was given to me; I think it stopped at twenty-live words; I presumed that Mr. Hewitt understood that I had the cipher from an incident which occurred just before I left; I was in the parlor of the Ebbitt House and was on the eve of leaving, when Mr. Hewitt came in and introduced me to a gentleman named Thein, who, he said, was going on the same train with me; Mr. Thein, he told me, was well sequainted with Southern politics, and any information which he gave to me I was to send by my cipher; Colonel Felton was present at the time the cipher was explained to me, but he took no hand in the explanation.

Q. I see on this list on page 10 of pamphlet you have no number 23? A. No; number 23 meant Mr. Edward Cooper; you will see it stated in my despatches, "I have drawn on 23 for so and so;" I understand that the cipher was enlarged by the addition of the first column of words on the tenth page; one of the cierks in the committee room told me afterward.

Q. What was the name of that clork? A. I would rather not say it it is not material.

The Chairman, on being applied to, said he must cortainly answer the question unless there was some proper reason for objecting.

Witness—Woll, it was Morris K. Keen; the conversation I had with him about it was after the publication of the cipher; Colonel woolly had been interviewed the day before and had said that he got the cipher from Mr. Keen; Mr. Keen laughed to me when he saw that, because, as he said, the Colonel himself had manufactured that part of the cipher and added to the cipher, Cooper inventod.

Mr. Reed—You statied for Florida as soon as you hat the cipher with the cipher with the cipher with the part of the cipher and addition of the cipher in the National Committee

Ar Rose of the New York Herald? A. I did.

Giving the Lie impried.

Mr. Reed produced a copy of the New York Tribune of November 2, in which the letter was reprinted. It commonced:—

To the Edition of this morning I regret to find that Mr. Compor articipates my interview of last evening with a denial of the fact that the gave me the either to be used in my communications from Florids to the committee. Unplease and see it is, I find myself compelled to reterrate this fact and such details of time and place as will certainly refresh his memory, and I trust be will not oblige me, by further denials, to bring into this connection the names of gent is men who were present and who are cognizant with the facts.

The letter than wont on the size facts.

men who were present and who are cognizant with the facts.

The letter then went on to give these details. Witness admitted that he wrote this letter, and testified that the statements therein contained were true and correct.

Mr. Reed then asked that the letter be placed upon the record, but some little objection was raised.

Mr. Stenger said that it it was accepted he should make a proposition that the letter recred to by Mr. Tilden in the course of his testinony should be placed on the records. He refrained from doing so previously because he did not believe it was evidence.

Mr. Reed.—Then why were the Joseph Surface dospatches admitted, where Marble was telegraphing one thing privately in a cipher and telegraphing another thing to the public?

After a short discussion Mr. Reed withdrew the letter.

UNLIMITED FUNDA.

Mr. Hiscock.—State what amount you understood that you were at liberty to draw? A. I understood that you were at liberty to draw? A. I understood

that I was to draw whatever was requisite to secure a true and raithful count; there was no sum ever talked about; it was unlimited; I was simply to draw what was wanted.

Q. Could you have drawn \$50,000? A. I should have felt justified in drawing for any amount that was necessary: I had previously drawn on the committee for large amounts—\$4,000 or \$5,000; my correspondence was with Colonel Pelton and my drafts were drawn upon Mr. Cooper.

Q. Do you know if Governor Tilden knew anything of these despatches? A. Well, my knowledge of Governor Tilden and of the affairs of the canvass would make me positive he did not; I do not know that a considerable sum of money was to be raised in New York or anywhere else for the purpose of watching the canvassing boards; I never knew or Mr. Marble's despatch offering the Returning Board for sale until I saw it in the Prione; Mr. Woolley once asked me if I had authority to draw any money; I told him I had for legitimate purposes; Mr. Woolley then inquired if I felt authorized to draw a considerable sum; I think he mentioned '\$50,000; under some circumstances I might be authorized to draw so much I told him.

Q. Did he say he had sent despatches asking for

think he mentioned \$50,000; under some circumstances I might be authorized to draw so much I told him.

Q. Did he say he had sent despatches asking for anthority to draw so large a sum? A. No; he said that he had sent despatches but could get no answer.

Q. Did you write the despath "Half twelve-may less thirty cloven winding ton additional seven for give licutenant sixtoen Russia" that is addressed from Tallahassee, December 4, to Henry Havemeyer. New York, and signed "Fox?" A. Mr. Woolley handed it to me in pencil, and asked me to write it out in ink for him, and I did so; I do not know what it means; it was about this period that Woolley had asked me what authority I had to draw money; I cannot say whether it was prior to this; Woolley is a man who has had a fair education and writes a good hand, and there is no reason why he should have asked me to write for him.

WOOLLET'S MODEST REQUEST.

Q. The interpretation of the telegram is, "may winning (that is Woolley) give \$100,000, less half, for Tilden additional Board member? Lieutenant (signed) Woolley." A. I don't know; it was a cipher that Woolley himself had.

Q. Did it not occur to you to ask him what the translation of it was? A. No, sir.

Q. How did he come to send it to Havemeyer, the name which you had been instructed to forward all your despatches to? A. That I cannot say.

Q. Here is another telegram from Tallahassee, same date:—"Saturday William if power joined forty further twenty have Charles necessary be Jane you late the sixteen will with and six twenfy-two to against secured five from advise appear. Fox." That appears to be in your handwriting too? A. Yes, but not in my cipher; although it manifestly reters to money I do not understand it.

Q. Did you send any despatches for anybody else? A. No, sir; Marble, I presume, wrote his own.

DREW FOR MIL MARBLE.

Q. Although you had a conversation about your

Money I do not understand it.

Q. Did you send any despatches for anybody else?

A. No, sir; Marble, I presume, wrote his own.

Darw Fon Mr. Marble.

Q. Although you had a conversation about your authority to draw money with Colone! Woolley and then you sent a despatch to Hawemoyer, of New York, manitestly in reference to money, you state that you know nothing about it. Very well. Now, had you any conversation about money with Mr. Marble?

A. Yes, sir, I had. The morning after he reached Tallainasee he informed me that he had antinority to draw \$700, and asked me what I had liberty to draw; I told him that I had liberty to draw \$700, and asked me what I had liberty to draw \$700, and asked me what I had liberty to draw anything that was requisite, and he said, "I will not use my draft, but will get you to draw for me." and I did so; I believe I drew for him about \$600 or \$700; I wish to state this; Mr. Marble says he directed me ty make certain disbursements, while the fact is I did not receive any instructions from him; I paid him his exponses there and that was all.

Q. What did Mr. Marble busy himself with down there? A. Well, he seemed to be visiting Messrs. Cowgill and McLin, members of the Returning Board, without any special instructions from anybody; it was generally known there, and I think it was Mr. Chandler who told me about it; I do not remember that I understood it from anybody eise; I never talked with Marble about it; I cannot say how long he was in communication with them or whether he went out of town some little distance to see one of the members of the Returning Board.

Q. Did you have any room there in which you met for consultation? A. No, sir; when we arrived at Tallahassee the hotel was pretty well crowded, and Mr. Marble, Mr. Sationstall, Woolley, Perry, Smith, Brown and one or two others, all stayed in the same house; we had no general consultation room there.

Q. Now, you say you expended \$19,000. Whom did you pay it to? A. Some to Mr. Donaldson, some to Mr. Paine, some to Mr. Pascall.

tell you.

Q. They were not lawyers, and you never saw them in consultation with snybody? A. I never did; I never know Marble to be consulted about the busi-

himited in amount by my own judgment and discretion.

Mr. Reed—What limit was put to the method in which you should use money?

Coylo—Every dollar used by me was used legitimately, in procuring witnesses, in paying ordinary expenses that would attend the collection of such evidence and duplicate returns through the State.

Q. How much did you expend? A. I expended and authorized the expenditure of pretty nearly \$10,000.

Q. How much did you expend? A. I expended and authorized the expenditure of pretty nearly \$10,000.

Q. How did you obtain this money? A. Through drafts on Mr. Cooper; I had been employed by the democratic committee during the whole campaign, and they manifected their confidence in me by leaving overything very much to my own judgment.

BECRIVED THE CIPHER FROM MR. COOPER.

Q. What conversation took place between you and Mr. Cooper in regard to the cipher? A. I was sent for from the general parlor of the Ebbitt House to go into the committee room of the National Committee, where I saw Colonel Politon, Mr. Whitney and Mr. Cooper Mr. Cooper drew from his pocket the cipher, which I then saw for the first time; it was in horizontal lines, but the Tribuse has them the other way: there were a few submittation with anybody? A. I never did; I never know Marble to be consulted about the business in any possible way.

Q. So far as you know; and you cannot communitate, the confinition with anybody? A. I never did; I never know Mr. Marble, to be consulted about the business in any possible way.

Q. How much did you expend? A. I expended and authorized the committee his purpose in being there at all? A. No, sir.

Q. Hare is a telegrams. I advise that you find one person for trust and than trust him for at least one calendary way and do my best to transfer to him authority. About one hundred majority and certified copies. Republicans claim same upon returns. Kome neciles now; should be recalled. Parris and detectives always useless, ditto Woolley, here, as in Louisians, a nuisance and impediment, trusted by i

Q. Who was "Rome?" A. I do not know.
Q. Did he mean you when he said "Rome?" A. I do not think he did; my cognomen was "Twenty-Seven;" I do not know that I had any others.
Q. Now, I have tried from Mr. Marble and from everybody we have had on the stand to get to know who "Rome" was.
Witness (laughingly)—Well, I can assure you that I do not know; my cipher, as I have already told you, had none of the words contained in this first list.
Q. You would oblige me very much if you would communicate it to the committee. A. I am sure it would give me great pleasure to do so if I could.
In reply to the Charman witness again went over the facts of his second meeting with Thein; when he saw Thein at Weldon, on their journey to Florida, that gentleman informed him that the had received a telegram from Florida sdvising him to hurry on and bring plenty of money with him; he then said \$205,000 will secure the State; with the warning tolegram from New York in his possession witness simply listened to him, and afterward told him that was not his (witness) mission to Florida; Thein insisted upon it that that amount would be required, that the Returning Beard could be secured and as on; he renewed the conversation on more than one occasion during their trip.
Q. Did you report this to the gentlemen in New York? A. I wrote and shall that I had met Thein and that he had made the suggestion to me.
The Charman showed witness a despatch dated November 10, 1876, from Florida and sent to Alexander Thein, which read, "Come quick with Cornucopia Greenpatch."
Mr. Springer—That is a deepatch we can all understand.

der Thein, which read, "Come quick with Cornucopia Greenpatch."

Mr. Springer—That is a despatch we can all understand.

Mr. Cox—It means "Come quickly with a cornucopia tuil of greenbacks."

Witness (in reply to the Chairman)—Thein showed me that despatch.

Q. Did he state how much any particular persons were to receive? A. No, sir, I do not think he did; he said the greenbacks were to be put up in six lots; I do not remember the amount of cach; they were not equal amounts, I know.

Mr. Hierock—Now, in reference to this matter I asked in the most innocent manner in the world who he got this information from, and the witness states that he got it from a man who was outlawed by all those gentlemen down there. Now, I think it is ubfair toward the Canvassing Board of the State of Florida to allow evidence of such a character as this, which is only to the effect that somebody had told him these men were for sale, low they were to be purchased, and all that sort of thing, and for the people to take that and from that presucate the opinion that these men were for sale; that gentleman is in Albany now, and could be reached, and if you have any idea that he had authority for making such an offer, or that he was doing anything cise but simply attempting to put up a job on the people of New York, he should be brought here and put up.n the stand.

The Chairman—I have no idea at present whether it is worth while.

Mr. Hiscock—Mr. Marble said he was informed that the Board was corrupt through Mr. Dyke, and Mr. Dyke says that all he knows about it is from what Henderson toid him. I think we should go to the fountain head and not scatter about the groundless rumors any more than can be helped.

The Chairman—I have no idea at present whether it is worth while.

Q. And you draw so on the same? A. Yes, \$5,300 or \$6,400.

Q. Did you over draw a large sum? A. Yes, \$5,300 or \$6,400.

Q. Did you draw so much at one time? A. Yes.

Q. Did you hear any other propositions made in regard to purchasting the leturuing Board? A. Buriung mad

Mr. William Chandler laughed, but made no reply.

STATEMENT OF JOSEPH L. HANCE.

Joseph L. Hance, examined by Mr. Hiscock, said he resided at Albany and was beputy State Treesurer; he was appointed January 1, 1878, and previous to that was a clerk in the Executive Chamber; on the night of the Presidential election, 1876, he went to New York and atsped there about two weeks; he spent his time partly at the Everett House and partly at Governor Tiliaen's residence, Gramercy Park; during his stay he was engaged on business connected with the Executive Department.

Mr. Hiscock cross-examined him at great length as to the nature of this business, but without receiving any definite answer.

The witness on two or three occasions appealed to the chairman, on the ground that the committee had no right to question as to the business of the Executive, and that the business on which he was then engaged had no connection with the present proceedings.

Upon one of these occasions the chairman ordered

Mr. Hiscock-What political influence secured The witness was silent until the question had been repeated and he was commanded to answer, and then he said—I think it was Colonel Petton.

Mr. Hiscock—Oh that is near enough.

Mr. Reed—It is in the family.

The witness turther stated that from 1871 until 1875 he was editor of foreign letters on the New York

dent of Columbia, S. C.

Q. What is his business? A. He is a grocer.

Q. What were his politics? A. Up to 1876, or the fall of 1876, his politics had been republican.

Q. What were they during the Presidential election? A. They were somewhat in doubt, I think.

Q. How did he vote? A. I understand that he voted for Hampton.

Q. How did he vote? A. I understand that he voted for Hampton.

Q. State any conversation that you had with him on the subject of the Returning Board vote. A. Mr. Solomon came to me during the session of the Board; I would not undertake to state precisely what day it was, but it was probably about the middle of the week after this Board commenced its sessions; he said to me that he was requested to see members of the Returning Board, and to ascertain whether it was possible to enter into any negotiations by which the vote of that Board could be so shaped as to give the electoral vote of South Carolina or a portion of it to a Tilden elector.

Q. State the whole conversation. A. Lean only

that Board could be so shaped as to give the electoral vote of South Carolina or a portion of it to a Tilden elector.

Q. State the whole conversation. A. I can only state at this length of time the general substance of it that lies in my mind; I do not uncertake to give the precise words; he said he had been requested to undertake the business because there was great danger of bloodshed and anarchy in the States unless a peaceable solution of the question could be arrived at; that the gentleman who spoke to him desired to have negotiations with the Returning Board, but could select no more suitable person than himself, because he had a personal acquaintance with all the members of the Board and its previous affaliations with the republican party; I told Mr. Solomen that it was utterly useless for him to talk of any negotiations with the Returning Board on such a point; that the returns of their votes, without any, dispute whatever (without entering into any of the disputed or canvassed returns), showed clearly the election of the Hayes electors, and that the Returning Board of South Carolina would unquestionably do their duty in declaring their election if permitted; we had further conversations on the bubject; Mr. Solomon he spoke with such a decided negative as that at the start; he talked still further and undertook to reason the probabilities and to give reasons why it was better to accede to what appeared to be the determination of the democratic party there to take the State.

Q. What arguments did he use? A. The arguments

THE STATE CAPITAL.

ADULTERATION OF FOOD - PROTECTION OF AMATEUR OARSMEN ON THE NORTH RIV R. [BY TELEGRAPH TO THE HERALD.]

ALBANY, Feb. 17, 1879. The first veto of Governor Robinson came into the assembly to-night, a few moments after the opening of business. It happened to upset a local bill in relation to the Syracuse Police and Fire Departments, in which Speaker Alvord was understood to be interested. The effectual shots was understood to be interested. The effectual shots sent home by the Governor in condemnation of the Syracuse measure, caused broad smiles among the republican members as they listened to the reading of the veto. The document was evidently looked upon as the commencement of hostilities between the democratic Governor and the republican Legis-lature.

Patitions continue to pour in from all parts of the State asking for the passage of a prohibitory liquor law and denouncing any efforts to amend the Excelaw and the number of the passage of the passage

State asking for the passage of a prohibitory liquor law and denouncing any elloris to amend the Excise law in New York city. A large number were handed in to-night.

ADULTERATION OF FOOD.

Among the bills introduced in the Assembly is one by Mr. Tallmadge to prevent the adulteration of food; which makes the adulteration of food or drink offered for sale a inisdemeanor, subject to a fine of not exceeding \$100, or imprisonment of not exceeding ninety days, or both line and imprisonment. Like provisions are made to punish sny one selling adulterated food. A section defines adulteration under the set to be mixing anything with an article for the purpose of sensibly increasing its weight or bulk or adding cheaper substances or such as may be injurious to health. But the act shall not apply to the admixture of articles which are not unhealthrul.

ACLEAR COURSE FOR NUCATTAS.

Mr. Hayle brought in a bill to protect amateur carsmen rowing on the Hudson River opposite Washington Heighta. It provides that it shall be lawful for the Metropolitan Association of Amateur Carsmen, whenever a regatta shall be given under its auspices on the Hudson River, to keep the course used for such regatta clear of all boats and vessels during the actual time of the regatta; provided there shall not be more than five regattas in any one year, and the course shall be above Seventy-second street and far enough up the river so as not to interfere with any ferry line.

Mr. Youngs introduced a bill to protect and promote the commerce of New York, prohibiting the Department of Docks from granting permits to erect on the decks, piers, &c., any buildings, sheds or inclosures. The act is not to affect regularly established ferry companies.

A bill to enlarge the Clintou Prison, introduced by Mr. Mooers, provides for enlarging that prison so as to accommodate 1,200 convicts, and appropriates \$100,000 for the purpose and restricts the total exempenditure to 5200.000.

Washington's introduced this evening, makes it unlawful for any fire insurance com

THE BILLINGS MURDER CASE.

MOTION POR CHANGE OF VENUE DENIED. [BY TELEGRAPH TO THE HERALD.]

BALLSTON, Feb. 17, 1879.
The Court this morning announced that after conditation the Judges were upanimous in denying the

otion for change of venue in the Billings murder case. This decision virtually settles the question of gain trying the accused. District Attorney Ormsby states that no attempt will be made for another trial within a year at least. Billings' ball was reduced from \$30,000 to \$10,000. Jones, the witness for Billings, Indicated for perjury, gave surety in \$3,000 ball to appear for trial in June.

MERRY LITTLE ONES.

Third Annual Children's Carnival at the Academy of Music.

A GLIMPSE OF FAIRY LAND.

Brilliant Tableaux, Fine Singing aud Graceful Dancing.

The little folk had a rare treat last night at the Academy of Music on the occasion of the third an-nual children's carnival. Naturally the entertainment opened early, and long before seven o'clock lines of carriages began making the best of their way up to the front and stage doors of the Academy, and forms, bundled up out of all shape, hurried through the snow and sleet, past the lines of poor little street clustered about the canopy's edges, The only recomponse these unfortunates could have for the difference in their position from that of the richly dressed, warmly clad little pleasure seekers ered into the coffers of the association were to be levoted to the building of a poor children's seaside

nome at Bay Ridge, L. I. Before eight o'clock the Academy was well filled with a brilliant audience, which occupied the balcony seats around the edges of the parquette, which was floored over, and upon which the curtain was dropped, concealing the infantile host, wriggiing and twisting like little cels behind it.

THE BOXES AND THEIR OCCUPANTS. The boxes and the upper gattery were also thronged with people, in evening dress, waiting for the rise of the curtain, and instilling patience into the minds of

jamin Wood; N. Mr. Charles Osborne; F. Mrs. Nadler; E. Mr. Theodore Moss; D. Mr. J. Belden; H. Mr. J. N. Goddard. Artiss.—Paropa, Mr. Rice; Nilsson, Mr. George Ehret; Kellog, Mr. J. Ruppert; Piccolomini, Mr. G. Wotherbee; Lagrange, Mr. A. B. Darling; Grisi, Mr. Sherman Paris; Mozari, Mrs. John Shaw; Moyerbeer, Mr. W. P. Earle; Bellini, Mr. Sanchez; Patti, Mr. Johnston.

Mr. W. P. Earle; Bellini, Mr. Sanchez; Patti, Mr. Johnston.

Mexonine—1, Mrs. John Pondir; 2, Mrs. Plant; 3, Mr. F. Earle; 4, Mrs. J. McCall; 5, Mrs. H. K. Thurbor; 6, Mr. Stanton; 7, Mr. Colbuen; 8, Mr. J. Stout; 9, Mrs. Egan; 10, Mrs. W. H. Neilson; 11, Mrs. B. T. Babbitt; 12, Mrs. C. B. Hackley; 13, 14, 15, Mrs. Bryan; 16, D. Robinson; 17, Mr. E. N. Borden; 18, Dr. Jordan; 19, Mr. Jesse Seligman; 20, 21, Mrs. Howe; 22, Mrs. Dunham; 24, Wslter J. Price; 24, Mrs. Wilson; 26, Mrs. H. O. Armour; 27, Mrs. Allan; 28, Mrs. Abbott; 29, Mr. Compton; 30, Mrs. J. A. Bostwick; 31, G. N. Curits; 42, Mr. Elliott; 43, Mr. Abbott; 45, Mr. Fowler; 46, Mrs. Wetherboe; 48, Mrs. Hays; 49, Mrs. W. Ot man; 50, Theodore Moss; 52, Mr. Kirby; 53, 54, 55 and 58, Mr. Hallgarten; 60, Mr. Mowny; 103, Mr. Howe; 161, Mrs. Demorest; 111, Mrs. Mildeberger; 142, Mr. Houghton; 115, Mrs. J. T. Perey; 117, Mr. Tyson.

waite and pink and white suits and high, pocaps, who danced a unique quadrille. The Chnation, dressed as little "Celestials," dance
comic dance, holding particolored unbrellas a
their heads. The old woman who lived in a
then gave her little ones a recess, and the family
dressed in brilliant "Dolly Vardens," were
spread about the floor performing with great g
"witch polka." Studenly a discord in
music seared them back into the shoe,
which emerged the "old woman" herself

music soarou them cack into the shoe, from which emerged the "old woman" herself to see "What can the matter be?" In a moment her mask of age was thrown off and she emerged a Spanish gypay girl in brave attre and danced "El Gateo des Jeres," accompanying herself with castanets. The child (Adele Baimi), was a dark graceful girl and her pertormance was loudly applauded.

THE NINK MUSES.

The Neapolitan wedding party took the floor and the national dance was executed by the bride and groom—the latter in tascalled cap. Poiled up sleeves and trousers, and the bride in a blue chenille net over her dress. The bridesmaids (Annie Jorian, Daisy Boos and Stells Friedlander) danced a mandoline dance and retired amid loud applause. In fact, applause and flowers were freely lavished by their friends upon the little *fourants* until with those and the hights and musas their dizzy little brains were fairly timed. The most charming part of the eventual entertainment, however, was the adago and walts by the infine muses. The daughters of Zuus and river meet." They were dressed in white sain dresses reaching to the kines and covered with a skirt of tulle embroidered with silver and crow ned with layers of the Morey (Lio, the Muse of history, was perconated by Jonnie Van Horn; Califope (Epic Peetry), by Annie Knight; Erato Krate Peetry), by Katie Haman; Mepomene (Iragedy), by katie Wolfarey, that was performed by Pacile Howe and Jessie Priec. The Court foof was Fred Hogarch, and the young god Bacchus, Johnsy Laurance.

The ball was then formally opened with a pelosatise an car, danced by ladies and gentlemen in evening dress, among whom were Mr. A. C. Clayton, Mrs. Charles H. Nelson, Mr. H. W. Steinert and Carles, Miss Mata Cookale, Mr. Chames of N